

JAN 17 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FRANCES HINES,

Plaintiff - Appellant,

v.

TOYOTA MOTOR SALES, U.S.A., INC.,

Defendant - Appellee.

No. 11-55919

D.C. No. 8:11-cv-00416-JVS-  
FMO

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
James V. Selna, District Judge, Presiding

Submitted January 15, 2013\*\*

Before: SILVERMAN, BEA, and NGUYEN, Circuit Judges.

Frances Hines appeals pro se from the district court's judgment dismissing her diversity action alleging personal injuries sustained in a motor vehicle accident.

We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

discretion a district court's dismissal for failure to comply with local rules, *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (per curiam), and we affirm.

The district court did not abuse its discretion by dismissing the action because Hines failed to oppose defendants' Federal Rules of Civil Procedure 12(b)(6) motion to dismiss. *See* C.D. Cal. Civ. R. 7-12 ("The failure to file any required document, or the failure to file within the deadline, may be deemed consent to the granting or denial of the motion."); *see also Jacobsen v. Filler*, 790 F.2d 1362, 1364-65 (9th Cir. 1986) (pro se litigants in the ordinary civil case are not excused from compliance with procedural rules).

**AFFIRMED.**